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PATENT

Application of HAUSMAN

Serial No. 09/584,045

Atty Docket No. 3524/14

Express Mail Label EL 920 797 053 US

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of: HAUSMAN, Andrew

Serial No.: 09/584,045

Filed: 30 May 2000

Title: ELECTRONIC TRADING SYSTEM FOR ELECTRICITY FORWARDS

Attn: Special Program Examiner

Technology Center 2100

Commissioner for Patents

Washington, D.C. 20231

RECEIVED

MAY 13 2002

GROUP 3600**RECEIVED**

MAY 15 2002

Technology Center 2100**PETITION TO MAKE SPECIAL
Pursuant to 37 C.F.R. § 1.102(d)**

Sir:

This is a petition to make the above-identified application special pursuant to 37 C.F.R. § 1.102(d) on grounds of actual infringement. A check in the amount \$130.00 is enclosed in payment of the petition fee required by 37 C.F.R. § 1.17(h). Please charge any additional fees, or any fee deficiency, that may be required to enter and process this petition to Deposit Account No. 02-4270.

Infringement

The allegation of actual infringement is made against an electronic trading system currently in use under the trade name "IntercontinentalExchange." Information pertaining to this system is available at www.intcx.com. Copies of the documents giving a general description of that system are attached as Exhibit A to the Declaration of Jessica Leerentveld in Support of

Petition to Make Special, filed herewith. As demonstrated in the Declaration of Jessica Leerentveld, a rigid comparison of the Intercontinental Exchange electronic trading system with the claims of the above-identified application has been made and at least claims 13 – 15, 19 – 23, 33 – 35, and 38 - 50 of the application herein are unquestionably infringed.

Prior Art Search

A careful and thorough computer search of the prior art has been made. All of the patents identified during this search are included on Information Disclosure Citation forms filed herein 2 November 2000, 13 April 2001, and 24 August 2001. Copies of the cited references were filed with those Citations.

Summary

It is submitted that all requirements set forth in 37 C.F.R. § 1.102 and MPEP § 708.02 II have been met for granting this petition. Accordingly, it is requested that the petition be granted.

Respectfully submitted,

Date: 1 May 2002



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